

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CHIEF HEARING OFFICER DIRECTIVE**

**DOCKET NO. 2021-349-E ORDER NO. 2022-3-H**

**JANUARY 10, 2022**

**CHIEF HEARING OFFICER: David Butler**

**DOCKET DESCRIPTION:**

**Joint Petition of Duke Energy Carolinas, LLC and Duke Energy Progress, LLC to Request the Commission to Hold a Joint Hearing with the North Carolina Utilities Commission to Develop Carbon Plan**

**MATTER UNDER CONSIDERATION:**

**Petition to Intervene of Walmart Inc. ("Walmart")**

**CHIEF HEARING OFFICER'S ACTION:**

**This matter comes before the Chief Hearing Officer on the Petition to Intervene of Walmart Inc. in this Docket. The Petition is timely filed, and no objections to the intervention have been filed.**

**Walmart Inc. asserts that it is a global retailer of goods and services that operates throughout the United States. In South Carolina, Walmart states that it operates 126 facilities, including 83 Supercenters, four Distribution Centers, 26 Neighborhood Markets, and 13 Sam's Clubs. Walmart notes that it is a large commercial customer of the Duke Companies in South Carolina, purchasing over 98 million kWh annually from DEC and about 34 million kWh annually from DEP. Electricity is one of the largest operating costs faced by Walmart, according to that Company. Accordingly, any modification to the Companies electric rates and terms of service may substantially impact Walmart's operations. Further, Walmart states that it has established aggressive and significant renewable energy goals. Walmart asserts that the Duke Companies efforts to develop a carbon plan not only affects Walmart's operations in North Carolina and South Carolina, but also Walmart's renewable energy goals. Walmart notes that it has substantial experience with renewable energy and experience in other jurisdictions that have implemented carbon free programs that it would bring to bear in this proceeding to assist the Commission's analysis and consideration of the Duke Companies' Petition. Walmart asserts that it has a direct and substantial interest in the outcome of this proceeding, and as a large commercial customer that purchases substantial amounts of electricity and related services from the Duke Companies, Walmart has an interest in this proceeding that is not represented by any other party.**

**After it has been determined that the Petition to Intervene has been timely filed, the next question for the Commission is to determine whether or not the petitioning party or parties**

have clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the South Carolina Public Service Commission must set forth clearly and concisely:

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;
- (b) The grounds of the proposed intervention;
- (c) The position of the petitioner in the proceeding.

From the discussion and assertions in Walmart's Petition, this Hearing Officer holds that Walmart has successfully satisfied all of the criteria for intervention stated in the Regulation. The Petitioner's interest in these matters can clearly be discerned, as can the grounds for the intervention, and its position. Further, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of Walmart Inc. is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.